

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 257 of 2017

Raki @ Rakesh Bablani, S/o. Mansukh Bablani, aged about 24 years, R/o. Gali No.07, Dabripara, Ravigram, P.S. - Telibandha, Raipur, Tahsil and District – Raipur (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : Station House Officer, Police Station – Telibandha, District – Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Vivek Tripathi, Advocate
For Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

21/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 18.12.2016 in connection with Crime No. 423/2016, registered at Police Station- Telibandha, District – Raipur (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. As per prosecution case, on information being received a raid was conducted by the police party whereby the applicant was found to be in possession of 6.3 bulk liters of foreign liquor and the same was recovered from him and thereby the aforesaid offence was committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, the seizure was not made from the applicant and he is in jail since 18.12.2016; therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that the applicant is having 19 cases under Excise Act, therefore, he may not be released on bail.
5. Taking into the submission made by the State counsel that the applicant is having 19 cases under Excise Act, I am not inclined to release the applicant on bail, at this juncture.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is liable to be and is hereby dismissed.

Sd/-
(P. Sam Koshy)
Judge